

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**MARC GRANO as personal representative §
of the WRONGFUL DEATH ESTATE §
OF JONATHAN ANDREW GARCIA §
and a Next Friend to J.O.G., A.S.R., An.J.G §
and Ar.J.G §**

Plaintiff,

v.

Case No. 1:20-cv-00147-PJK-KK

**STATE OF NEW MEXICO, GREGG §
MARCANTEL, New Mexico Secretary of §
Corrections, DAVID JABLONSKI, New §
Mexico Secretary of Corrections, §
CLARENCE OLIVAS, Deputy Warden §
Of Penitentiary of New Mexico, BRIAN §
LUCERO, Corrections Officer, FNU §
MARTINEZ, Corrections Officer, FNU §
BACA, Captain, Corrections Officer, FNU §
WELLS, Sergeant, Corrections Officer, and §
JOHN DOES 1 through 5, employees, §
staff, agents of Penitentiary of New Mexico, §**

Defendants.

DEFENDANTS' EXPERT WITNESS DISCLOSURE

Defendant State of New Mexico by and through its counsel of record, Garcia Law Group, LLC (Bryan C. Garcia, Rodney L. Gabaldon, and Meghan Nicholson) and pursuant to the Court's Order Granting in Part Unopposed Motion to Extend Case Management Deadlines and Fed. R. Civ. P. 26(a)(2) hereby discloses the following expert to rebut the opinions of Plaintiff's expert:

1. Lenard Vare, c/o undersigned counsel
555 Veterans Dr. #2037
Kyle, Tx 78640
(707) 430-7568
lenardvare@jailandprisonconsulting.com

Mr. Vare has been retained and is being disclosed pursuant to Fed.R.Civ.P 26(a)(2)(D)(ii). Therefore, the scope of his review and the opinions formed therefrom are limited to solely contradict or rebut the opinions of Plaintiff's expert as those opinions pertain to the State of New Mexico Corrections Department ("NMCD") and the individually named NMCD employees named in Plaintiff's lawsuit. Mr. Vare is expected to testify consistently with his report which is compliant with Fed.R.Civ.P 26(a)(2)(B)(i-vi) and which is limited to the scope of his rebuttal opinion. Mr. Vare's report is being served to Plaintiff concurrently herewith.

Respectfully submitted:

GARCIA LAW GROUP, LLC

/s/ Rodney Gabaldon
RODNEY L. GABALDON
BRYAN C. GARCIA
MEGHAN S. NICHOLSON
Attorneys for Defendant State of NM
6739 Academy Road NE, Suite 200
Albuquerque, NM 87109
(505) 629-1576 / (505) 652-1337 (fax)
rgabaldon@garcialawgroupllc.com
bgarcia@garcialawgroupllc.com
mnicholson@garcialawgroupllc.com

CERTIFICATE OF SERVICE

Defendant State of New Mexico by and through its counsel of record, Garcia Law Group, LLC (Bryan C. Garcia, Meghan S. Nicholson, and Rodney L. Gabaldon) hereby certifies that on this **14th day of March, 2022**, a copy of *Defendants' Expert Witness Disclosure*, along with a copy of the Fed.R.Civ.P 26(a)(2)(B)(i-vi) report, were served via electronic mail and Odyssey File and Serve to:

Joseph M. Romero
Counsel for PLaintiff
JOSEPH M. ROMERO LAW, LLC
P.O. Box 27579
Albuquerque, NM 87125
joe@romerolawnm.com
505-433-1642

and

Anna C. Martinez
Counsel for Plaintiff
P.O. Box 25304
Albuquerque, NM 87125
annacmartinezesq@gmail.com
505-750-8005

/s/ Rodney Gabaldon
Rodney Gabaldon